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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/517,571	10/14/2005	Thomas Vetter	1604BPE-5	2693		
22442	7590	06/24/2009	EXAMINER			
SHERIDAN ROSS PC 1560 BROADWAY SUITE 1200 DENVER, CO 80202				YAN, REN LUO		
ART UNIT		PAPER NUMBER				
2854						
MAIL DATE		DELIVERY MODE				
06/24/2009		PAPER				

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/517,571	VETTER, THOMAS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ren L. Yan	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 April 2009.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-9, 12-21 and 29-35 is/are pending in the application.
  - 4a) Of the above claim(s) 2-9 and 29-35 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1 is/are rejected.
- 7) Claim(s) 12-21 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>4-16-09</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____.

## **DETAILED ACTION**

Claims 12-21 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 12-21 depend on a canceled claim 11 and thus are considered as incomplete claims. Accordingly, claims 12-21 have not been further treated on the merits.

Claim 1 is objected to because the recitation of “said processing stations are capable of starting independently” on lines 9 and 10 does not find proper antecedent basis.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 01/12440 in view of DE 3729911.

The WO 01/12440 teaches the structure of a device for processing the surface of an object 20 as claimed comprising: at least one processing station 18; a conveying unit 14, 16, 48 and 50, by which said objects 20 are transported into desired positions at said processing station; a central controller 62, by which the functions of said conveying unit and of said processing station are synchronized correlated with transport of said object 20 and wherein said central controller controls each processing station; wherein starting signals are generated in the central controller 62, by which the processing stations are capable of starting independently; and

wherein by predetermining a duration of transmission of the signals to a processing station, a duration of a function of the processing station is capable of being predefined by the central controller. The Examiner notes that WO 01/12440 teaches on page 3, lines 14-34 that the central controller 62 provides control signals to each servomotor 52, which drives each processing station(print head), to maintain registration for the blanket 46(printing element of the print head 18) at each print position with the articles 20 being printed and the control system 60 establishes and maintains registration independently of the mean article diameter and rotation speed of the mandrels 16. Thus, WO 01/12440 teaches to provide control signals on when to start and stop the servomotor 52 for the processing station(print head) and thus the duration of the function of the processing station is predefined by the central controller 62. See Figs. 1-4 and pages 2 and 3 in WO 01/12440 for details.

However, WO 01/12440 may not specifically teach to synchronize the operations of the conveying unit and the processing station by the use of a clock pulse.

DE 3729911 teaches in a processing machine with several stations the conventional use of a central control clock pulse and controlled by a central control to achieve register control among the various processing stations and the transport device. The advantage of using the clock pulses as a means to control the various components of the processing machine is the freedom with which equipment changes can be made and , when setting up, furthermore the possibility of introducing register controls. See the abstract in DE 3729911 for example.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the device for processing a surface of an object in WO 01/12440 with a central control clock pulse provided by the central controller as taught by DE 3729911 in order to predictably

achieve the precise synchronization among the operations of the various conveying unit and processing stations and to improve processing registration on the objects being processed even when different diameter objects and mandrels are used in the device.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ren L Yan/  
Primary Examiner, Art Unit 2854  
June 18, 2009